

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

JUDY A. BELK, *et al.*,

Plaintiffs,

v.

CIVIL ACTION NO. 2:12-cv-09147

AMERICAN MEDICAL SYSTEMS
HOLDINGS, INC.,

Defendant.

MEMORANADUM OPINION AND ORDER

On March 3, 2020, I entered an order directing plaintiffs to show cause on or before April 3, 2020, why their case should not be dismissed as to American Medical Systems, Inc., for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 4.1 of the Local Rules of Civil Procedure.

Plaintiffs have not responded to the Shown Cause Order. The court **ORDERS**, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 4.1 of the Local Rules of Civil Procedure and after weighing the factors identified in *Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989), that defendant, American Medical Systems, Inc., is dismissed without prejudice. No defendants remain, and the court **DIRECTS** the Clerk to dismiss the case and strike it from the active docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: April 6, 2020


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE